



The National Transportation Safety Board
490 L'Enfant Plaza, S.W.
Washington, DC 20594

(by mail attachment and fax 1-202-314-6454)

Attention: Captain R Jones

March 30, 2007

Ref: G -25-2007

Re: NEW DELHI EXPRESS - Grounding off Bergen Point
April 15, 2006
Y/Ref: DCA06MF013

Dear Captain Jones,

Thank you for giving us the opportunity to comment on your draft factual report.

1. Our first comment relates to the sequence that was followed on this investigation.

The members of the vessel's Bridge Team and the Pilots were interviewed at a relatively early stage in April of 2006, i.e. well before the audio tapes and other data from the vessel's VDR were available.

At several points in the NTSB draft report referred to, it appears the interpretation is based on what was perhaps heard on the audio tapes, thereupon some assumptions made about what the speakers were seeing, doing and thinking.

For example, at page 6 it is stated (or at least implied) that the Docking Pilot was having difficulty identifying contacts on the radar.

We have seen no evidence of this in his statement or from our own interviews – is there something on the VDR data that was identified leading to this conclusion, please?

We feel that in order for anyone to get a complete understanding of what was said in context, and why, perhaps the follow up interviews of the two Pilots ought to have been conducted when they could listen to the tapes with the NTSB and offer their own comments. The same would apply to the Captains of the tugs *Miriam Moran* and *Turecamo Girls*.

2. We also note that to date, we have not had access to the transcript of the audio from the VDR, which you had indicated we would receive and was the reason that we did have representation to listen to it when the NTSB played it, September 2006. Therefore, we cannot offer any further comment on this at the present time.

3. Our next comment relates to the thoroughness of the investigation.

As far as we are aware, the captain of the tug *Miriam Moran* was not interviewed. At the time of the incident, that tug was stationed on the starboard bow of the *New Delhi Express* and was the first to report seeing buoy R14. We respectfully submit that he ought to have been interviewed.

The same applies to the captain of the tug *Turecamo Girls*, which was placed on the port bow. Again, no one from the US Coast Guard at VTS appears to have been interviewed in connection with the NTSB investigation. We consider these are important witnesses who may have relevant information to this investigation.

4. Regarding the section of the report describing the Pilots, the vessel and the buoy R14, the NTSB draft report mentions a routine position check of this buoy later "*on the day of the accident*" and another position check by a Coast Guard cutter nine (9) days *after* the accident, both of which apparently found this buoy off its assigned position and in only 28' of water.

As stated therein, it is supposed to be in over 50' of water and mark the limit of navigable water beside a submerged ledge where the water is 20' or less.

The NTSB draft report states that no report was ever made to the Coast Guard about any observed discrepancies to buoy 14, which implies that they did not know about it before the accident.

We are uncertain if the NTSB has investigated whether any such report was made by the Coast Guard at any time *before* the accident? Or, whether the Coast Guard had issued any safety broadcasts or any other form of notice to mariners about this buoy before or after the accident?

Our comments above are offered solely on the basis of being constructive, and not as impugning on the NTSB's diligence to date. However, it does appear the NTSB investigation on a major casualty such as, is somewhat incomplete.

We would be pleased to discuss this with the NTSB / you at your convenience.

Thank you, again

Yours truly

A

[Redacted Signature]

Jude Correa
Operations General Manager
Seaspan Ship Management Ltd.

cc: National Transportation Safety Board
490 L'Enfant Plaza, S.W.
Washington, DC 20594

Attention: Mark V. Rosenker, Chairman
Robert L. Sumwalt, Vice Chairman
Deborah A. P. Hersman, Member
Kathryn O'Leary Higgins, Member
Steven R. Chealander, Member